

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER RODRIGUEZ,

Plaintiff,

-against-

CITY OF NEW YORK, E.S.U. CAPTAIN
MOISE #1451, CAPTAIN GIBSON, E.S.U.
OFFICER WILLIAMS #1475, E.S.U. OFFICER
GALVEZVSKIY #8957, CORRECTION
OFFICER FERRERO #1805,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 1/21/2021

20-CV-9840 (GHW)

ORDER

GREGORY H. WOODS, United States District Judge:

On December 23, 2020, Mr. Rodriguez wrote the Court, alleging that he was harassed and threatened by one of the individual defendants in this matter. Dkt. No. 20. As stated on the record during the January 21, 2021 conference regarding that letter, it is hereby ORDERED that defendant City of New York collect and retain any records for the incidents described in Mr. Rodriguez's letter, including any videotape showing the areas around Mr. Rodriguez's cell during the times and dates identified in his letter, and, to the extent available, any videotape of the areas around the shower for one hour before and after 7:00 p.m. on December 15, 2020. Defendant City of New York is further directed to collect and preserve the logbooks for each of those dates. If the records are spoliated for any reason, the Court will take appropriate action. Furthermore, the Court notes that defendant City of New York is on notice of Mr. Rodriguez's allegations of harassment and threats by one of its officers, and fully aware of the serious nature of the potential consequences related to those allegations, if true. Defendant City of New York is further directed to request and mail a transcript of the January 21, 2021 conference to Mr. Rodriguez within 30 days of this order.

As stated on the record during the January 21, 2021 conference, Mr. Rodriguez's request for an extension of time to amend his complaint is granted. The deadline for Mr. Rodriguez to amend

his complaint is extended to February 5, 2021. The deadline for Defendants to answer or otherwise respond to Mr. Rodriguez's anticipated amended complaint is extended to April 5, 2021.

The Clerk of Court is directed to mail a copy of this order to Plaintiff.

SO ORDERED.

Dated: January 21, 2021



GREGORY H. WOODS
United States District Judge